

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. MJ 16-211
Plaintiff,)
)
v.)
) DETENTION ORDER
KYLE J. TATE,)
)
Defendant.)
_____)

Offense charged: Possession of Child Pornography

Date of Detention Hearing: May 9, 2016.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been employed until recently in the day care industry. As a

01 result of the filing of the instant charges, he is currently unemployed. His residence is located
02 across the street from a young child and is in close proximity to several day cares, schools, and
03 a zoo. The Court finds that it is not an appropriate release address. If defendant provides
04 another suggested release address that is appropriate, it will be considered by the Court.

05 2. Defendant poses a risk of nonappearance based on unsuitable release address,
06 substance use history, lack of employment and limited family ties to the District. He poses a
07 risk of danger due to the nature of the instant charge.

08 3. There does not appear to be any condition or combination of conditions that will
09 reasonably assure the defendant's appearance at future Court hearings while addressing the
10 danger to other persons or the community.

11 It is therefore ORDERED:

- 12 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
13 General for confinement in a correction facility separate, to the extent practicable, from
14 persons awaiting or serving sentences or being held in custody pending appeal;
- 15 2. Defendant shall be afforded reasonable opportunity for private consultation with
16 counsel;
- 17 3. On order of the United States or on request of an attorney for the Government, the
18 person in charge of the corrections facility in which defendant is confined shall deliver
19 the defendant to a United States Marshal for the purpose of an appearance in connection
20 with a court proceeding; and

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01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services
03 Officer.

04 DATED this 9th day of May, 2016.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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